


| | | | | |
|---|--|----------------------------|---------------|-------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION,PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | Last Revision Date | | |
| | | | | |
| | | DRAFT | | |
| | | Signature: unsigned | | |
| | | Date: | | |
| Page 1 of 13 | | | | |

This draft policy document has been produced from WRAC Recreation Issue Workshop discussions, staff and workshop participants, all WMD recreation websites and other sources. The purpose of this draft is to assist the WRAC Recreation Issue Workshops participants develop a recreation, public use and access policy for District lands. Changes are expected, including deletions and additions. Nothing in this draft should be considered final. The draft will be completed in the WRAC Recreation Issue Workshop process and presented to the WRAC for approval.

Explanation of fonts used in editing


| |
|---|
| <i>Words in italics are the editors comments</i> |
| <i>This version includes the changes resulting from the Nov 24 WRAC Recreation Issues workshop.</i> |
| |

Table of Contents

| | | |
|------|---------------------------|----|
| I. | Scope | 1 |
| II. | Purpose | 1 |
| III. | Statement of Policy | 1 |
| IV. | Definitions | 4 |
| V. | Management Plans | 7 |
| VI. | Appendixes | 10 |

I. **Scope**

This policy shall apply to lands of the South Florida Water Management District and to District involvement in the management of other lands or planning of other water resource related activities and facilities. Nothing in this policy shall negate supercede or replace any existing statute, administrative rule, permit, license, subordination, delegation, agreement, or contract. This policy may be reviewed and approved by the District Governing Board at five (5) year intervals or earlier, and updated as required. Public comment shall be solicited as part of the review process.

| | | | | |
|---|--|----------------------------|---------------|-------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION,PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | Last Revision Date | | |
| | | | | |
| | | DRAFT | | |
| | | Signature: unsigned | | |
| | | Date: | | |
| Page 2 of 13 | | | | |

II. Purpose

This policy establishes a commitment to the responsible planning, management, and promotion of recreation, public use and access on District lands. This policy shall provide guidance for the South Florida Water Management District in decisions related to recreation, public use and access to District lands including stormwater treatment areas and projects of the Comprehensive Everglades Restoration Plan. It incorporates recommendations of the South Florida Ecosystem Restoration Task_Force in its Strategy for Restoration of the South Florida Ecosystem and reports from the Governor's Commission for a Sustainable South Florida. The references are attached to this policy as appendix A.


Legal Department will add citations of law that apply to authority and justifications

III. Statement of Policy

Recreation, public use and access shall be provided for and encouraged to ensure the public's opportunity for enjoyment and appreciation of the natural resources of south Florida. District lands shall be open to recreation, public use and access activities as is practicable and in a manner consistent with legislative directives, intended uses, legal considerations, and resources. Recreation, public use and access shall be planned to ensure incorporation into lands and projects.

Intended Uses

1. The intended uses of the property shall be given primary consideration.
2. A balanced mix of recreation, public use and access shall be allowed except when specific activities are not in the best interests of the land and may undermine or otherwise impair the ability of the land to fulfill the purpose for which it was purchased as determined by the Governing Board.
3. Recreation, public use and access shall be consistent with the protection of natural resources, ecological value and function of lands.

| | | | | |
|---|---|--------------|-----------------------------|----------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION, PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | | | Last Revision Date |
| | | | | |
| | | | | DRAFT |
| | | | | Signature: unsigned |
| | | | | Date: |
| | | | Page 3 of 13 | |

Legal Considerations


1. Recreation, public use and access shall be consistent with the District's land ownership rights and environmental laws.
2. All access and use of District lands shall be governed by rules and policies of the District and/or other units of government in partnership with the District and/or general laws of the State of Florida.

Resources

1. There shall be a reasonable dedication of land, financial and human resources as directed by the Governing Board to ensure an equitable distribution and variety of recreational activities.
2. Reasonable consideration of recreation, public use and access and the resources required to accomplish such shall be given to lands in transition.
3. Stable partnerships with private and public entities that expand the opportunities for recreation, public use and access shall be encouraged. .

Planning

1. Management plans for District lands will be undertaken by the District in a proactive manner.
2. Management plans for District lands shall undergo public review and comment.
3. New projects should be designed to enhance fish and wildlife, as appropriate, and in consideration of a recreation compatibility analysis, shall have plans for appropriate recreation, public use and access facilities.
 - a. Two examples follow
 - i. Leave trees in reservoirs to create "stick marsh"
 - ii. Scalp canal banks to create littoral zones
4. The District should establish a standing recreation advisory committee.

| | | | | |
|---|--|-----------------------------|---------------|-------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION,PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | Last Revision Date | | |
| | | | | |
| | | DRAFT | | |
| | | Signature: unsigned | | |
| | | Date: | | |
| | | Page 4 of 13 | | |


- Facilities to accomplish current and reasonably optimistic future general access needs, such as parking and other facilities that support many activities shall be a necessary part of planning and site design for District water resource management projects.

IV. Definitions


All definitions provided are for the purposes of this policy only.

Review and comment yet to occur on the definitions.


| | | |
|-------------------------------------|--|--|
| Access | | T BA |
| Archaeological/Historic Resources | | Any prehistoric or historic district, site, building, object, or property of historic, architectural, or archaeological value relating to the history, government, and culture of an historic or pre-historic people |
| Best Management Practice (Bmp) | | The best available technology or process that is practical and achieves the desired goal or objective |
| Camping | | TBA |
| Capital Improvement Activities | | Relating to the restoration, public access, recreational uses and necessary services for recreation land and water areas including the initial removal of invasive plants; and the construction, improvement, enlargement or extension of facilities' signs, fire lines, access roads, and trails. Such activities shall be identified prior to the acquisition of a parcel or the approval of a project |
| Cooperating Agencies | | Two or more agencies working together to operate a specific management area. |
| Cooperative Management Agreement | | An agreement between two or more agencies outlining the respective duties and responsibilities of each agency in the management of a specific tract of land. |
| Consumptive And Non Consumptive Use | | TBA Fishing and hunting is consumptive |
| Critical Habitat | | Areas designated for the survival and recovery of state/federally listed rare, threatened, endangered or other sensitive species. |
| Desirable Vegetation | | Native plant species that are appropriate for a specific community type and provide benefits to wildlife in the form of food, cover and nesting. |
| Land | | Those lands in which the water management district has a fee simple or lesser proprietary interest. |

| | | | | |
|---|---|--------------|-----------------------------|----------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION, PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | | | Last Revision Date |
| | | | | |
| | | | | DRAFT |
| | | | | Signature: unsigned |
| | | | | Date: |
| | | | Page 5 of 13 | |

| | |
|----------------------------|---|
| | <p>These lands shall include:</p> <ul style="list-style-type: none"> Stewardship lands, Interim lands, Stormwater Treatment Areas, (STA's), Comprehensive Everglades Restoration, (CERP) Lands Canal and levee rights of way adopted as works of the district Spoil Areas <p>Such other lands as the district may acquire from time to time.</p> <p>These lands shall not include:</p> <ul style="list-style-type: none"> headquarters and field office sites field stations pump stations navigation locks and lock tender residences water control structures sites telemetry or tower sites other lands defined by management |
| Invasive/Exotic Vegetation | Certain plants, that displace native species and adversely affect wildlife habitat, water quality, recreation, and biological diversity |
| Habitat Diversity | Richness and variety of native plant communities within a particular area of the landscape. |
| Hydroperiod | Flooding duration, depth, and timing that influences species composition, ecosystem structure and function |
| Interim Land | Management of non-natural areas, primarily by leasing, that provides Management revenue without impacting long-term water-development projects. |
| Invasive/Exotic Vegetation | Certain plants, that displace native species and adversely affect wildlife habitat, water quality, recreation, and biological diversity. |
| Lead Manager | The prime managing entity designated for a given tract of land; generally provides the on-site staff. |
| Management Area | A single tract or combination of tracts under one management program. |
| Management Plan | TBA provides a description of recommended management and is required for each Management Area. The MP follows a designated format and is updated every five years. |

| | | | | |
|---|--|--------------|-----------------------------------|----------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION,PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | | | Last Revision Date |
| | | | | |
| | | | | DRAFT |
| | | | | Signature: unsigned |
| | | | | Date: |
| | | | Page 6 of 13 | |

| | | |
|--------------------------------|--|--|
| | | |
| Management Project | | Flood protection, enhancement environmental or water quality improvement. |
| Mitigation | | The actual acquisition, restoration, creation, or enhancement of wetlands to compensate for permitted wetland impacts. |
| Mitigation Banking | | Wetland acquisition, restoration, creation or enhancement undertaken expressly to provide compensation in advance of wetland losses from development activities. |
| Multiple-Use | | The management of renewable resources for a variety of purposes such as recreation, range, timber, wildlife habitat, and water resource development. |
| New Projects | | Lands to be used for water resources purposes. |
| Prescribed Fire | | Burning of vegetative fuels using controlled application of fire within specified environmental conditions. |
| Primary Resource Lands | | Lands having high water resource, fish, wildlife, and recreational values requiring acquisition or protection. |
| Passive Recreation | | included, but not be limited to: Walking, jogging and hiking Bicycling Equestrian use Fishing Nature study/appreciation |
| Public Use | | TBA |
| Recreation | | TBA |
| Regional Mitigation Area | | Permitted wetland impacts offset through payment for the acquisition, restoration and perpetual management of a Save Our Rivers identified and duly noticed project. |
| Responsible Management | | TBA |
| Stormwater Treatment Area, STA | | TBA |
| Sustainable Use | | To provide continued use of a natural resource without degradation or loss of that resource. |
| Water Resource Buffer | | Portion of a Preservation 2000 or Save Our Rivers project necessary to |


| | | | | |
|---|--|----------------------------|---------------|-------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION,PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | Last Revision Date | | |
| | | | | |
| | | DRAFT | | |
| | | Signature: unsigned | | |
| | | Date: | | |
| Page 7 of 13 | | | | |

| | | |
|-----------------------------------|--|---|
| | | protect the aquatic environment. |
| Wildlife Corridor | | A connection between natural areas that allows the safe movement of wildlife. |
| Water Resource Management Project | | Lands constructed or operated for the purpose of water supply, flood protection, enhancement environmental or water quality improvement. |
| Wildlife Management Area | | TBA |
| Works Of The District | | Those canals, levees, structures, lands, water bodies and other associated facilities or works which have been specifically adopted as works of the district pursuant to Chapter 373.086 F.S. |
| | | |
| | | |
| | | |

V. Management Plans

Management Plans will be developed for management areas in a public forum including the recreation advisory committee and will further define the specific activities in the recreation component. Management plans will determine the best mix of opportunities for recreation, public use and access. The District recognizes that the lands and the recreation, public use and access described in management plans will vary. Management plans may coordinate between management areas to accomplish separation of activities and the related facilities. Provided below is guidance on how specific activities may typically be considered by management plans. The list of activities does not limit the activities that a management plan may provide for. Lands declared Works of the District may utilize those applicable rules as the management plan.

Discussions stopped here on Nov 24, 03.
The definitions section above was delivered to the distribution list for review and comment and has yet to reflect those comments. The appendix section was reviewed and placed at the end of this document.

| | | | | |
|---|---|----------------------------|---------------|-------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION, PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | Last Revision Date | | |
| | | | | |
| | | DRAFT | | |
| | | Signature: unsigned | | |
| | | Date: | | |
| Page 8 of 13 | | | | |

Bolded language below initiated with the Workshop. To facilitate comparison, the remaining portion of the document presents the language of SFWMD staff and WRAC Recreation Issues Workshop members separately. The specific activities listed below have yet to be fully discussed. Staff contributions have adopted WRAC workshop language, created, or used existing language from District policies of the Land Stewardship and Right of Way Divisions

Fishing

Bank fishing may be allowed where public use is available. Fishing from boats may be allowed where boats are allowed. Fishing will not be allowed near or from water control structures.

Sec xx.xxx Fishing

All District owned or operated public lands other than those operated as WMAs or, for reasonable safety concerns, posted as "NO FISHING", are open to the public during all state fishing seasons.

Boat ramps should be designed to fit the reservoir or existing water body and its operation's schedule (size, location, maximum water level, estimated usage, presence of deep water refugia, etc.).

- **Bank fishing shall be allowed where public access is available.**
- **Fishing will not be allowed from District water control structures or where, for reasonable safety concerns, posted as "NO FISHING".**
- **Fishing will follow Florida State laws and seasons.**

Hunting

Hunting will be allowed on District lands and will be managed through the authority of the FWC. The District and FWC will work in cooperation to plan for hunting. Where lands are not open to hunting the discharging of firearms will not be allowed unless as an activity provided for in the management plan.

Sec xx.xxx Hunting


All District owned or operated public lands other than those operated as WMAs or, for reasonable safety concerns, posted as "NO HUNTING", will be open to the public hunter during all state hunting seasons.

Choose one statement, this is related to cost of signage

All District lands open to hunting will be posted OPEN TO HUNTING.

- **Regular local law enforcement and state and federal wildlife officers will continue to be responsible for the properties.**

Equestrian Activities

| | | | | |
|---|---|----------------------------|---------------|-------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION, PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | Last Revision Date | | |
| | | | | |
| | | DRAFT | | |
| | | Signature: unsigned | | |
| | | Date: | | |
| Page 9 of 13 | | | | |

Equestrian trails and facilities will be developed through partnerships with equestrian groups or associations that express an interest.

Sec xx.xxx Equestrian

Horse trails and facilities are for those who bring their own horses. Proof of negative Coggins is required. Horses shall stay on designated trails.

Possible inclusions would be:

- No horseback riding during posted hunting seasons.
- Please park horse trailers in designated areas only.
- Drinking water for horses is available/not available on trails.
- Wash areas are available/not available for horses.
- Please keep horses under your control at all times.

Trails

Developed in partnerships where access and trail heads can be sufficiently provided. Trails and Greenways should be incorporated to create links or spurs as possible with the various state and county trails, blueways, and greenways programs and systems.

Sec xx.xxx Trails: The creation of trails and elevated boardwalks should be considered at all publicly accessible areas to provide for close-up nature, wildlife and bird viewing, provided their construction and maintenance does not significantly harm habitat nor interfere with natural systems.

- Trails and Greenways should be incorporated to create links or spurs as possible with the various state and county trails, blueways, and greenways programs and systems.
- Trail heads for these programs may be incorporate as well.


Environmental Education

Educational kiosks and other appropriate signage will be built to provide education on the specific site and the natural conditions. Signage will also address specific activities as needed.

Sec xx.xxx Environmental Education: Educational kiosks should be built at all publicly-accessible sites to inform the visitors of the importance of the environment and their individual place within it, the reason the land was purchased and the activities permitted there.

Motorized Vehicles and Boats

Street legal vehicles may be allowed on named or numbered roadways. The use of vehicles may be defined to purpose of use, seasonal conditions or other.

| | | | | |
|---|---|----------------------------|---------------|-------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION, PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | Last Revision Date | | |
| | | | | |
| | | DRAFT | | |
| | | Signature: unsigned | | |
| | | Date: | | |
| Page 10 of 13 | | | | |

Boats ramps will be built to provide use for boats where seasonal depths allow sufficient use and there is access to public roads. The size and type of boat ramp will be based upon user compatibility analysis and Motorized boats may require consideration of wave action and levee sizes.

Sec xx.xxx Non-motorized access: Non-motorized access, such as canoeing and kayaking, should be a priority for all areas, particularly sensitive areas or places where visitors expect to experience natural sounds and experiences. Motorized vehicles, including airboats, all-terrain vehicles, swamp buggies and other motorized recreational vehicles, should be allowed only where it will be safe and not cause serious harm nor interfere with ecosystem restoration activities.

Appendix A


The Recreation and Public Access Policy shall define the acceptable types of recreation and access that allow public use of the lands owned and managed by the District such that District lands may continue to serve the purpose for which they were purchased while being enjoyed by the public.

The federal, state and local agencies, and stakeholders involved in restoration recognize that people's enjoyment of nature is a strong impetus for broad public support of ecosystem restoration. In its 1998 Interim Report the Governor's Commission for a Sustainable South Florida (Governor's Commission) included as Recommendation 9: "Procured lands should be managed for compatible multiple uses consistent with Florida law. Use and management activities on these lands must be compatible with overall conservation and conservation goals." In its 1995 Initial Report the Governor's Commission objectives included:

- Creating an array of cultural and recreational opportunities that are affordable and available to all
- Shared and extended use of public facilities for recreational purposes
- Ensuring appropriate public access to public lands consistent with the purposes for which the public lands were acquired and managed.

Likewise, the South Florida Ecosystem Restoration Task Force in its Strategy for Restoration of the South Florida Ecosystem stated: "As citizens and their governments work to restore and protect the unique South Florida ecosystem, they must not lose sight of the importance of public access to natural areas. At the same time, the public must respect the sensitivities of the natural system and ensure that their activities do not unduly stress the wildlife and the landscapes that are such an important part of their heritage."

This policy shall provide guidance for the South Florida Water Management District in decisions related to public access to District owned and managed lands, and to District involvement in the management of other

| | | | | |
|---|--|--------------|------------------------------|----------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION,PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | | | Last Revision Date |
| | | | | |
| | | | | DRAFT |
| | | | | Signature: unsigned |
| | | | | Date: |
| | | | Page 11 of 13 | |

lands or planning of other water resource related activities, including the development of the Master Recreation Plan for the Comprehensive Everglades Restoration Plan (CERP) with the federal partner.

Appendix B –

The following appendix is provided as a reference for the reader. These are parts of the existing policies at the time of the development of this Recreation, Public Use and Access Policy that have provided guidance and that this policy is intended to be consistent with.


Land Stewardship

The basis for the Land Stewardship Program is the protection and management of natural hydrologic resources. The following policies guide implementation of this objective:

1. Acquired lands shall be managed to provide water resource related benefits.
2. Land uses or activities that significantly or permanently alter or degrade the quality, quantity and/or natural movement of ground or surface water are not allowed unless a part of a regional water management system.
- ~~3.~~ Recreation, public use and access shall not result in detrimental impacts to water resources. When a public use activity produces detrimental effects on water resources, it shall be discontinued until an evaluation determines that such use is compatible.
4. Water resource lands designated as necessary to implement the Central and Southern Florida "Restudy" project, shall upon acquisition become the responsibility of the (Interim) Land Management program, and follow the guidelines set forth under Section 373.1391(5), F.S. and HB 1119.

Right of Way Management

The right of way program was developed to preserve the District's ability to construct, operate and maintain the canal and levee system of the federally-authorized Central and Southern Florida Flood Control Project and other "works of the district" while allowing for compatible uses. The program also seeks to preserve the District's proprietary interests in the works of the district and to minimize exposure to unnecessary litigation. The following policies guide implementation of this objective:

| | | | | |
|---|--|----------------------------|---------------|-------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION,PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | Last Revision Date | | |
| | | | | |
| | | DRAFT | | |
| | | Signature: unsigned | | |
| | | Date: | | |
| Page 12 of 13 | | | | |

1. The works of the district shall be those works or lands adopted by the governing board. (Chapter 373.085 F.S.)
2. The governing board has the authority to prescribe the manner in which the works or lands may be used. (Chapter 373.085 F.S.)
3. It is the policy of the District to allow, without charge for admission or use, public, passive recreational uses of District owned rights of way, given legally sufficient District property interests. However, the District retains the ability to, either temporarily or permanently, limit or otherwise preclude public access to certain portions of the District works or lands, such as structures and associated facilities. (Rule 40E-6.011 and 40E-6.311(1)).
4. The District may close works and lands of the district temporarily or, with Governing Board approval, permanently (Rule 40E-6.311(1)(2))

Implementation Strategies


The District will secure dedicated funding sources, personnel and other resources to support program goals and objectives. Project funding needs and sources for cooperative management agreements with government and non-government entities will be identified during acquisition. A cooperative management agreement will designate a lead manager and identify whether District funding is required.

1. Partnerships

- The private sector may be solicited to furnish certain management-related facilities and services through the execution of leases and agreements. These leases/agreements will assure mutual benefits to both the District and private parties and be consistent with the program management objectives.

2. Revenue Generation

- Private concessions and/or agreements with non-profit organizations will be considered to implement needed services through concession contracts.

| | | | | |
|---|--|--------------|------------------------------|----------------------------|
|  | ■ POLICY ■ | Unit 5720 | Revised 03 | Original Effective Date |
| | SUBJECT: RECREATION,PUBLIC USE AND ACCESS POLICY X.001 This draft edited Dec 2, 03. Not final, additions and deletions may occur. | | | Last Revision Date |
| | | | | |
| | | | | DRAFT |
| | | | | Signature: unsigned |
| | | | | Date: |
| | | | Page 13 of 13 | |

- Entrance and user fees, permits, licenses and/or advance reservations may be required where considered necessary by the managing agency.

3. Volunteers and Interns

- Volunteers, interns and alternative work forces will be used when possible to supplement existing staff and services.
- Any volunteer services must meet the standards and procedures prescribed by the District (Risk Management Manual Vol. 1.)